

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Toshiaki Iizuka
Serial No. : 10/017,027
For : CLIENT COMPUTER HAVING SOFTWARE INCLUDING A PLURALITY OF FUNCTIONS, SERVER COMPUTER, SYSTEM INCLUDING BOTH, CONTROL METHOD OF THEM, RECORD MEDIUM STORING PROGRAM READABLY BY COMPUTER FOR IMPLEMENTING CONTROL METHOD
Filed : December 14, 2001
Examiner : J. Ouellette
Art Unit : 3629

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Applicant received a Notice of Non-Compliant Amendment in the above-identified application dated April 3, 2009. The Notice advised that the documents filed on 1/21/2009 and 3/17/2009 were considered non-compliant for the following reasons: each claim had not been provided with a proper status identifier; and that "Applicant has made note of an amendment made on 1/21/09; however, the Examiner has no record of an official amendment made."

Applicant's undersigned attorney reviewed the Amendment filed by applicant on March 17, 2009 and each claim was found to have a proper status identifier. Moreover, the paper filed by applicant on January 21, 2009 was a Response After Final Under 37 CFR 1.116. This Response, however, contained only argument and no amendment of the claims was made. As a result, it is believed that these filed documents complied with the USPTO's rules. Accordingly, it is further believed that the Examiner's conclusion that the documents were non-compliant was in error and it is respectfully requested that it be withdrawn.

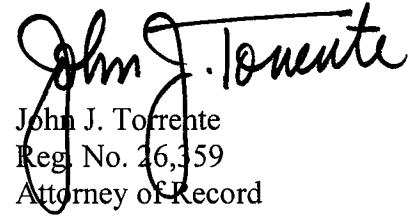
Applicant's undersigned attorney notes also that applicant's undersigned attorney telephoned the Examiner and left phone messages on April 13, 2009 and another date in April to discuss this matter. The Examiner responded to these messages on April 19, 2009 and left a phone message with applicant's undersigned attorney noting that there was an error in issuing the Notice of Non-Compliant Amendment and that he would issue a telephone interview summary based on our phone messages indicating that the Notice would be withdrawn. The Examiner's message also stated that he would then review the RCE and Amendment filed on March 17, 2009 and based thereon would take whatever action he believed appropriate.

Applicant's undersigned attorney has filed this response to formally request withdrawal of the Notice of Non-Compliant Amendment and to make of record the above interchange with the Examiner. Applicant's undersigned attorney also would like to note to the Examiner that applicant filed with the RCE on March 17, 2009 a Request for a Telephone Interview and additionally a request to suspend prosecution to provide the time for conducting the interview. The Examiner is respectfully requested to telephone applicant's

undersigned attorney to set up a convenient time for holding the interview.

Dated: April 24, 2009

Respectfully submitted,


John J. Torrente
Reg. No. 26,359
Attorney of Record

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